



PATENT

Attorney Docket No.3028.1US (96-767.1)

CERTIFICATE OF MAILING (under 37 C.F.R. § 1.10 if checked)

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Darlene Holt
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August 15, 2001
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Darlene Holt
Signature of person mailing transmittal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:	V. Perez-Ramos	Group Art Unit No.:	1765
Applicant(s):	Lee et al.	Filing date:	July 22, 1999
Serial No.:	09/358,940	For (title):	HIGH SELECTIVITY BPSG TO TEOS ETCHANT

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision of the Primary Examiner mailed March 13, 2001 finally rejecting claim(s) 1 through 43.

- ☒ The Notice of Appeal fee pursuant to 37 C.F.R. § 1.17(e) is
- ☐ \$155 -- small entity status -- Verified Statement ☐ attached ☐ filed on .
- ☒ \$310
- ☒ Check No. 16972 is enclosed in payment of this fee.
- ☐ Please charge this fee to deposit account No. 20-1469.
- ☐ The Notice of Appeal fee is not required because it has been previously paid with an appeal notice in this application.
- ☐ A petition for extension of time under 37 C.F.R. § 1.136 and required fee for same are enclosed herewith.

Any additional fees required for filing of this Notice of Appeal or obtaining an extension of time therefor which are not otherwise submitted or which are insufficient should be charged to deposit account no. 20-1469. A duplicate copy of this notice is enclosed. Please address all communications in connection with this appeal to the address indicated below.

Respectfully submitted,

Krista Weber Powell
Krista Weber Powell
Reg. No. 47,867
TRASK BRITT
P.O. Box 2550
Salt Lake City, UT 84110-2550
(801) 532-1922

Date: July 27, 2001
Enclosures: As identified above
N:\2269\3028.1\Notice of Appeal Communication Transmittal.wpd



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Lee et al.

Serial No.: 09/358,940

Filed: July 22, 1999

For: HIGH SELECTIVITY BPSG TO
TEOS ETCHANT

Examiner: V. Perez-Ramos

Group Art Unit: 1765

Attorney Docket No.: 3028.1US (96-767.1)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

August 15, 2001
Date of Deposit

Darlene Holt
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Darlene Holt
Typed/printed name of person whose signature is contained above

#15
Holt
8/22/01

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TSC 1700

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Box AF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed on or about July 2, 2001, finally rejecting claims 1 through 4 and 6 through 15.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity
☐ small entity

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is:

- ☐ small entity \$155.00
☒ other than a small entity \$310.00

Notice of Appeal fee due \$310.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$380.00	\$190.00
<input type="checkbox"/> three months	\$870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

If additional extension of time is required please consider this a petition therefor.
(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

or

- (b) ☒ Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicants

have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$310.00
Extension fee (if any) \$_____

TOTAL FEE DUE \$310.00

5. FEE PAYMENT

- ☒ A check in the amount of \$310.00 is attached. However, if the check is missing or incorrect in amount, the Commissioner is authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 20-1469. This letter is submitted in triplicate.

Respectfully submitted,



Krista Weber Powell
Registration No. 47,867
Attorney for Applicants
TRASKBRITT
P. O. Box 2550
Salt Lake City, Utah 84110
Telephone: (801) 532-1922

Date: August 15, 2001

KWP/hlg:dh

Enclosure: Check No. 16972 in the amount of \$310.00

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